

DECLARATORY
Improvement Res. No. 1033-1960

For the Vacation of the second alley east of Calhoun Street from the north property line of East Foster Parkway to the south property line of the first alley north of East Foster Parkway, and also the alley between Rudisill Blvd. and East Foster Parkway from the east property

line of Lot 10, Calhoun Place Addition to a point 18' east of the east property line of said Lot No. 10.
Resolution Adopted:

August 19, 1960

Confirmed: As MODIFIED

MODIFIED to read as follows:

Sept. 22, 1960

Bids Received:

For the Vacation of the second alley east of Calhoun Street from the north property line of East Foster Parkway to the south property line of the first alley north of East Foster Parkway.

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

Oct. 27, 1960



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DECLARATORY RESOLUTION NO. 1033-1960

For the Vacation of the second alley east of Calhoun Street from the north property line of East Foster Parkway to the south property line of the first alley north of East Foster Parkway, and also the alley between Rudisill Boulevard and East Foster Parkway from the east property line of Lot No. 10, Calhoun Place Addition to a point eighteen (18) feet east of the east property line of said Lot No. 10.

MODIFIED TO READ AS FOLLOWS:
see other side of page

PLANS ORDERED: July 6, 1960

ADOPTED: August 19, 1960

ADVERTISE NOTICE TO PROPERTY OWNERS: Aug. 26 & Sept. 2, 1960

HEARING ON CONFIRMATION: Thurs., Sept. 22, 1960, 7:30 p.m. IST.

CONFIRMED: AS MODIFIED: Sept. 22, 1960

ASSESSMENT ROLL ORDERED: Sept. 22, 1960

ASSESSMENT ROLL APPROVED: Oct. 5, 1960

HEARING ON CONFIRMATION
OF ASSESSMENT ROLL: Thurs., Oct. 27, 1960, 6:30 p.m. IST.

NOTICE SERVED: Oct. 14, 1960

ASSESSMENT ROLL CONFIRMED: Oct. 27, 1960

MODIFIED TO READ AS FOLLOWS: Sept. 22, 1960

For the Vacation of the second alley east of Calhoun Street from the north property line of East Foster Parkway to the south property line of the first alley north of East Foster Parkway.

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ ~~of the second~~ alley east of Calhoun Street from the north property line of East Foster Parkway to the south property line of the first alley north of East Foster Parkway, and also the alley between Rudisill Boulevard and East Foster Parkway from the east property line of Lot No. 10, Calhoun Place Addition to a point eighteen (18) feet east of the east property line of said Lot No. 10.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to ~~vacate the second alley east of Calhoun Street from the north property line of East Foster Parkway to the south property line of the first alley north of East Foster Parkway, and also the alley between Rudisill Boulevard and East Foster Parkway from the east property line of Lot No. 10, Calhoun Place Addition to a point eighteen (18) feet east of the east property line of said Lot No. 10.~~

NOTE: This entire alley will revert back to Lot No. 9, Calhoun Place Addition, since it was taken from said Lot No. 9 when opened under Declaratory Resolution No. 958-1956.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 9 & 10, Calhoun Place Addition and Lot 14, Rudisills Partition. Both additions inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the ^{2nd} above described alley shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, ~~and water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described ~~are situated in the southeast~~ quarter of Section Fourteen, Township 20 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS

19

DAY OF

August 1960

ATTEST:

Secretary Board of Public Works

Board of Public Works.

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of the second alley east of Calhoun Street from the north property line of East Foster Parkway to the south property line of the first alley north of East Foster Parkway.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the second alley east of Calhoun Street from the north property line of East Foster Parkway to the south property line of the first alley north of East Foster Parkway, more particularly described as follows:

See Attached Sheet

NOTE: This entire alley will revert back to Lot No. 9, Calhoun Place Addition, since it was taken from said Lot No. 9 when opened under Declaratory Resolution No. 958-1956.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 9 & 10, Calhoun Place Addition. Said addition inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described ~~_____~~ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described ~~_____~~ vacation ~~_____~~ are situated in the southeast quarter of Section Fourteen, Township 30 North, Range 12 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS _____ DAY OF _____ 19 _____

Secretary Board of Public Works.

Board of Public Works.

Beginning at the southwest corner of Lot 9, Calhoun Place Addition to the City of Fort Wayne, Allen County, Indiana, (as originally platted) thence north 148.0 feet to the northwest corner of the said Lot 9 in Calhoun Place Addition; thence east 18.0 feet along the north line of the said Lot 9 in Calhoun Place Addition; thence in a south, southwesterly direction 20.0 feet to a point situated 19.0 feet south of the north line and 12.0 feet east of the west line of said Lot 9 Calhoun Place Addition; thence south 129.0 feet on a line 12.0 feet east of, and parallel to the aforementioned west line of Lot 9 Calhoun Place Addition to the south line thereof; thence west 12.0 feet to the place of beginning.

ENGINEERING
DEPT. OF STREETS

DATE September 21, 1960

NOTED

TO: Board of Public Works

☐ P.F.R.

SUBJECT: Board Order No. 152-1960 (Declaratory Resolution No. 1033-1960)

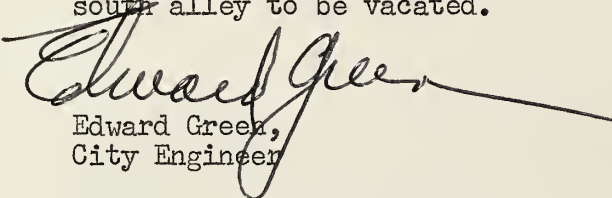
☐ J.D.L.

☐ B.W.

At the request of Mr. Ward Dildine, attorney for the petitioner, we have prepared a Modified Declaratory Resolution for the above Board Order. The modification excludes from the vacation the 12' x 18' portion of the east-west alley. Date _____

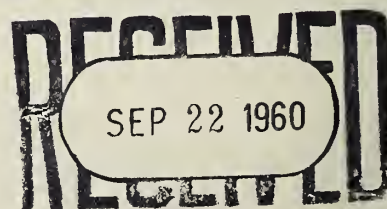
The Planning Director has no objection to this change and we recommend the resolution be approved as modified at the public hearing September 22, 1960.

An easement grant will not be necessary on the remaining north-south alley to be vacated.


Edward Green,
City Engineer

DEB/is
attachs.

1033



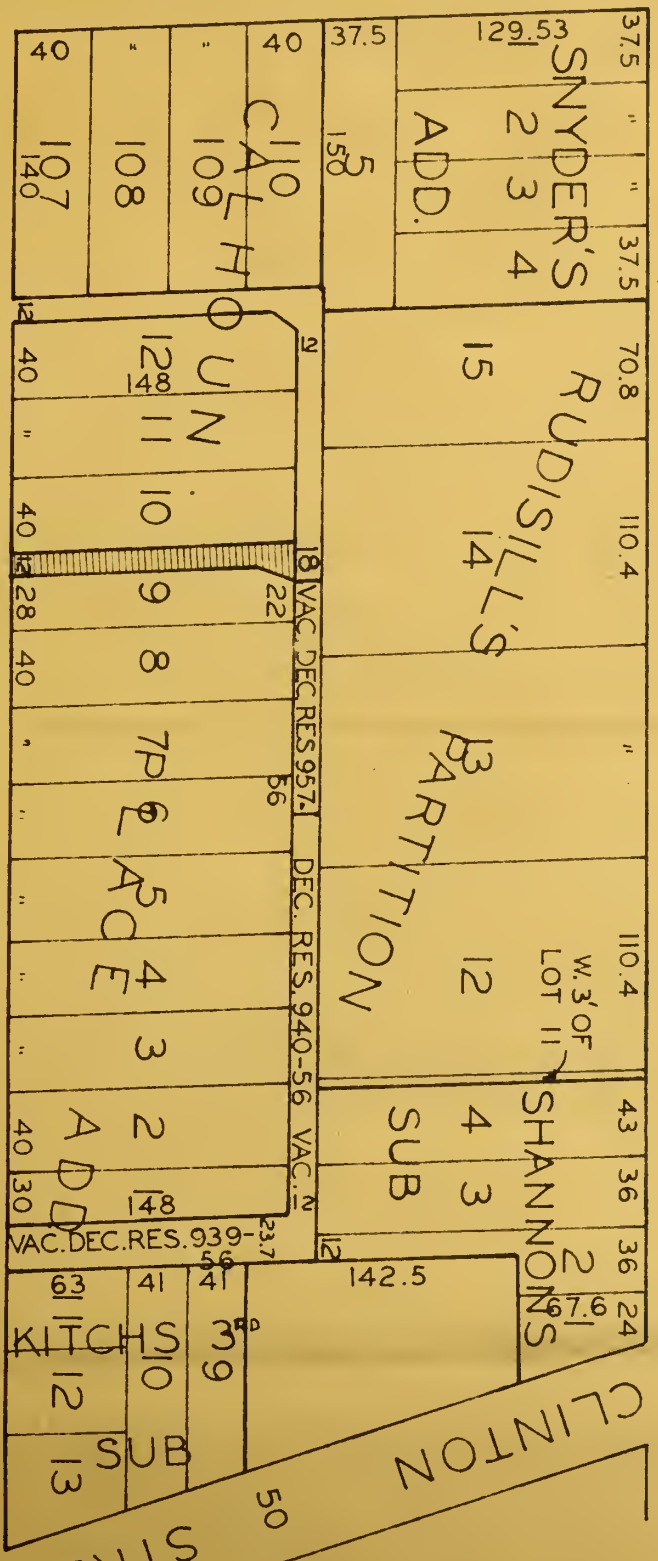
ALLEY TO BE VACATED

RUDISILL BOULEVARD

CALHOUN STREET

CLINTON STREET

EAST FOSTER PARKWAY



1033

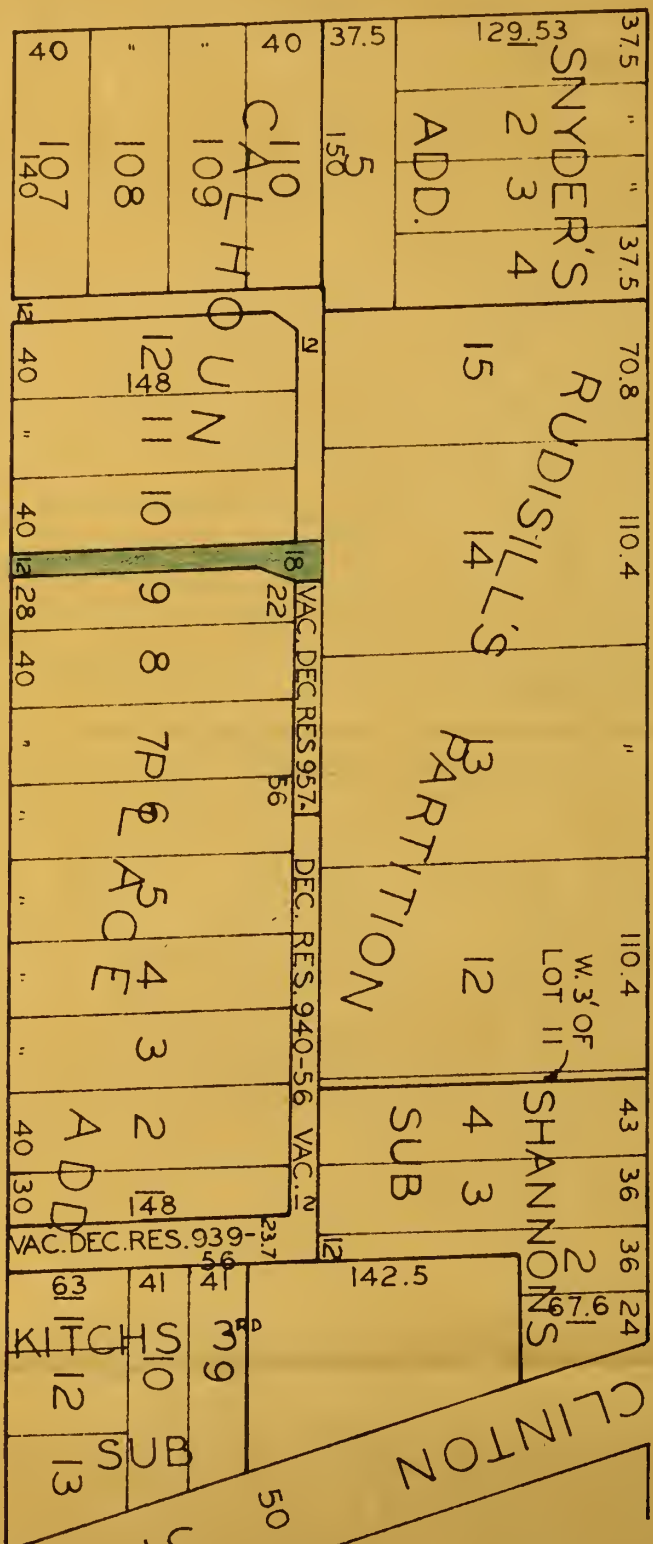
MODIFIED

ALLEY TO BE VACATED

RUDISILL BOULEVARD



CALHOUN STREET



EAST FOSTER PARKWAY

1033

P E T I T I O N

JUL 5 1960

Fort Wayne, Ind., June 30, 1960

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real

estate on East Foster Parkway and Rudisill Boulevard from Lot 7 to Lot 9, inclusive, of the Calhoun Place Addition and the West 55 feet of Block 13 and the East 40 feet of Block 14 of the Rudisill Partition to the City of Fort Wayne, Indiana respectfully petition for the passage of a resolution providing for the following:

(1) Vacation of all that public alley which runs north and south and lies over the west 12 feet of Lot 9 in the Calhoun Place Addition to the City of Fort Wayne, Allen County, Indiana, and over a triangular cut out of the northwest corner of the said Lot 9, being the same alley that was dedicated by Declaratory Resolution 958, adopted December 20, 1956 and confirmed February 21, 1957, which is described as follows:

Beginning at the southwest corner of Lot 9 Calhoun Place Addition to the City of Fort Wayne, Allen County, Indiana, (as originally platted) thence north 148.0 feet to the northwest corner of the said Lot 9 in Calhoun Place Addition; thence east 18.0 feet along the north line of the said Lot 9 in Calhoun Place Addition; thence in a south, southwesterly direction 20.0 feet to a point situated 19.0 feet south of the north line and 12.0 feet east of the west line of said Lot 9 Calhoun Place Addition; thence south 129.0 feet on a line 12.0 feet east of, and parallel to the aforementioned west line of Lot 9 to the south line thereof; thence west 12.0 feet to the place of beginning.

(2) Vacation of so much of the 12.0 feet public alley which runs east and west and lies immediately north of and adjacent to the north line of Lot 9 in the Calhoun Place Addition to the City of Fort Wayne, Indiana, as lies north of the west 18 feet of said Lot 9, which said alley has previously been vacated from the east property line of Lot 1 of the said Calhoun Place Addition to a point 18 feet east of the west property line of Lot 9 of the said Calhoun Place Addition by Declaratory Resolution 940, adopted April 26, 1956, confirmed June 21, 1956 and by Declaratory Resolution 957, adopted December 20, 1956, confirmed February 21, 1957, and which your petitioner now prays be vacated from the point 18 feet east of the west property line of said Lot 9 to the said west property line of said Lot 9 which is more specifically described as follows:

Beginning at the northwest corner of Lot 9 of the Calhoun Place Addition to the City of Fort Wayne, Allen County, Indiana; thence east along the north line of the said Lot 9, 18.0 feet; thence north 12.0 feet to the north line of the said public alley; thence west 18.0 feet along the said north line of the said alley to a point 12.0 feet north of the northwest corner of the said Lot 9; thence south 12.0 feet to the place of beginning.

Alleys and portions of alleys which your petitioner prays be vacated are marked in red on the plat which is filed herewith, attached hereto and marked Exhibit "A".

S. S. KRESGE COMPANY

By

John B. Kresge

APPROVED

WNS

Petition for Passage

of a Resolution for

from _____

to _____

Filed with the Board of Public Works

JDB
wfg 9/26

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

42-145-2

B. O. 152-'60

Date Sept. 22, 1960

To City Engineer

Subject Dec. Res. No. 1033-1960

MODIFIED TO READ AS FOLLOWS: for the Vacation of the second alley east of Calhoun Street from the north property line of East Foster Parkway to the south property line of the first alley north of East Foster Parkway.

Prepare the Assessment Roll of Benefits and Damages, the property owners benefited to be assessed costs of advertising, \$13.33.

Paul F. Roembke
John D. Lombard
Berkeley Ward
BOARD OF PUBLIC WORKS

ic
attach Res. & P. O. List
cc: Mayor Burns

Signed

Reply:

September 30, 1960

Assessment roll of benefits and damages completed and attached.

Edward Green
City Engineer

DEB:lm

Attachs.

NOTED

☐ P.F.R.
☐ J.D.L.
☐ B.W.

Date

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

City of Fort Wayne



OFFICE OF
CITY PLAN COMMISSION

FORT WAYNE 2 INDIANA

July 22, 1960

Mr. Donald Rudeker
Office Engineer
City Engineers Office

Dear Don:

We have reviewed the proposed vacation of the north-south alley from East Foster Parkway north for a distance of 148 feet lying between Calhoun and Clinton Streets. We have no particular objection to the vacation of the above described alley providing some means is established for a turn-around for the remaining portion of the east-west alley along the rear of Lots 10 through 12 in Calhoun Place Addition.

Sincerely,

CITY PLAN COMMISSION

Edith
VICTORIA J. JAMES
Executive Director

1033

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

42-22-7

Date July 6, 1960

To City Engineer

Subject Vacation - alley east of Calhoun St.

Received a petition for the vacation of the second alley east of Calhoun Street from the north property line of East Foster Parkway to the north property line of the first alley north of East Foster Parkway.

Prepare an Opinion, after conferring with all Governmental agencies and utilities.

Paul F. Roembke
John D. Lombard
Berkeley Ward
BOARD OF PUBLIC WORKS

ic
attach copy of petition & drawing (only 1 drawing received)
cc: Mayor Burns

NOTED

☒ P.F.R.
☒ J.D.L.
☒ B.W.

Date _____

Signed _____

Reply: **1033**

August 18, 1960

Declaratory Resolution, drawing and property ownership list completed and attached.

An easement grant is being prepared and will be signed before the public hearing is held.

Edward Green - D.B.
Edward Green,
City Engineer

DEB/is
attachs.

RECEIVED
AUG 18 1960

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, September 6, 1960

1033

To Rudisill Center Realty Corp.,
919 Wells Street
Fort Wayne, Indiana,
Att: Mr. C. S. Seibel

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did
Declaratory
pass Improvement/Resolution No. 1033-1960
providing for the Vacation of the second alley east of Calhoun Street from the north
property line of East Foster Parkway to the south property line of the first alley
north of East Foster Parkway, and also the alley between Rudisill Boulevard and
East Foster Parkway from the east property line of Lot No. 10, Calhoun Place Add-
ition to a point eighteen (18) feet east of the east property line of said Lot No.10.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the de-
tailed plans, profile and specifications which are now on file and may be seen in the office of the Board
of Public Works.

The Board has fixed Thursday, September 22, 1960 - 7:30 p.m.
a date and time when they will hear and consider objections or remonstrances from all persons whose
property will be affected by the proposed improvement.

You are hereby notified that

is subject to assessment for said proposed improvement under the Improvement Laws passed by the Gen-
eral Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supple-
mental thereof.

BOARD OF PUBLIC WORKS

DECLARATORY

Improvement Resolution No. ¹⁰³³

1960 For THE VACATION OF THE SECOND ALLEY EAST OF CALHOUN STREET FROM THE NORTH

PROPERTY LINE OF EAST FOSTER PARKWAY TO THE SOUTH PROPERTY LINE OF THE FIRST ALLEY NORTH OF EAST FOSTER PARKWAY, AND ALSO THE
ALLEY BETWEEN RUDISILL BOULEVARD AND EAST FOSTER PARKWAY FROM THE EAST PROPERTY LINE OF LOT NO. 10, CALHOUN PLACE

ADDITION TO A POINT EIGHTEEN (18) FEET EAST OF THE EAST PROPERTY LINE OF SAID LOT NO. 10	OWNER'S NAME	ADDRESS	R.P.O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
7*	S.S. KRESGE CO. INC	2727 2nd, Detroit Mich. 1525 Lincoln Park Tower		9	EXL PT	ON W.	CALHOUN PLACE ADD.
1					TAKEN FOR ALLEY PURPOSES		
2					& 1/2 VAC ALLEY ON N.		
3				10			"
4*	SMITH, WM. & THERESA	121 E. ...		11			"
5*	SCHAPER, NORMA L.	333 N. ...		12			"
6	BUBB, AGNES C.	2727 2nd, Detroit Mich.		14	E. 40' & 1/2		RUDISILL'S PARTITION
7*	S.S. KRESGE CO. INC.			VAC. ALLEY	ON S.		
8				14	W. 70.4'		"
9*	RUDISILL CENTER REALTY CORP.	Mr. C. L. ... 919 Wells St.		15	E. 70.8'		"
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NOTICES MAILED OR SERVED							
Sept. 6, 1960							
By Beryl Rehling							
TOTAL							

1033